REMARKS

Claims 1-98 are pending in the application.

Claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81 over Schwerdtfeger in view of Chen

In the Office Action, claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,725,424 to Schwerdtfeger et al. ("Schwerdtfeger") in view of U.S. Patent No. 6,668,354 to Chen et al. ("Chen"). The Applicant respectfully traverses the rejection.

Claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81 recite a system and method generating a site template to format a layout of a stylesheet based on capabilities of a mobile device.

The Examiner acknowledges that Schwerdtfeger discloses transcoding a content of a portion of a source page into a destination page according to transformation information for manipulating the content based on capabilities of a mobile device at Fig. 1-5, col. 1, lines 36-67, col. 3-10-col. 5, line 31 (See Office Action dated January 28, 2005, page 2).

The Examiner is correct that Schwerdtfeger discloses a transcoder proxy to translate or "transcode" one or more selected portions of a document from one digital form to another based upon the capabilities of a client machine (See col. 1, lines 59-63). For example, transcoder proxy may transcode a portion of a document from HTML to a script written in a scripting language understood by a Web browser application program running within a client machine (See Schwerdtfeger, col. 1, lines 63-67). However, the Applicants are **NOT** claiming **transcoding**, and thus Schwerdfeger has **no relevance** to Applicants' claimed features. Scherdfeger fails to disclose or suggest the use of any templates, much less a system and method generating a site template to format a layout of a stylesheet based on capabilities of a mobile device, as recited by claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81.

The Examiner acknowledges that Schwerdtfeger fails to disclose generating and using a stylesheet containing transformation information indicating content to be extracted from a source page and transformed into a destination page (See Office Action dated January 28, 2005, page 2). The Examiner relies on Chen to allegedly make up for the deficiencies in Schwerdtfeger to arrive at the claimed features. The Applicant respectfully disagrees.

Chen discloses a graphical user interface tool that accepts <u>user input</u> to generate a display <u>template</u> for automatically generating a style sheet (See col. 8, lines 50-53). Chen discloses generating a style sheet from a generated template, however fails to even mention performing **any actions based on a device's capabilities**, much less disclose or suggest a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited by claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81.

The Examiner alleges that transcoding and transformation by use of stylesheets are related with transcoding being the more general of two terms (See Office Action dated January 28, 2005, page 14). Moreover, the Examiner alleges that Chen teaches at col. 1, lines 25-31 that the motivation for the invention is to automate the <u>generation</u> of display scripts and stylesheets (See Office Action dated January 28, 2005, page 14). The Examiner alleges that Chen therefore has knowledge of transcoding the display format of an electronic document with both display scripts and stylesheets (See Office Action dated January 28, 2005, page 14 and 15). The Applicant respectfully disagrees.

Chen discloses a motivation for the invention is to automate the <u>generation</u> of display scripts and stylesheets (See col. 1, lines 25-31). Thus, Chen's invention is specifically directed toward the <u>generation</u> of stylesheets. Chen fails to even mention <u>transcoding</u>, i.e., changing the <u>underlying code</u> **behind** Web content to **from one code to another code** to allow a viewer that is <u>only</u> designed to view a particular type of code to be able to view the Web page, i.e., from HTML to a scripting language (See Schwerdtfeger, col. 1, lines 45-67).

The Examiner has failed to provide **support** for the allegation that Chen has knowledge of transcoding since <u>stylesheet generation</u> and <u>transcoding</u> are **distinct concepts**, much less use of transcoding with a stylesheet, much less disclose or suggest a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited by claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81.

The two terms, transcoding and transformation, are **distinct** terms within the art <u>as evidenced by Schwerdtfeger</u>. Schwerdtfeger discloses transcoding to change the **underlying code behind** Web content **from one code to another underlying code** to allow a viewer that is **only** designed to view a particular type of code to be able to view the Web page, i.e., from HTML to a scripting language. Thus, transcoding manipulating **underlying code behind** Web content **from one code to another underlying code** is **NOT** a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81.

Moreover, "Teachings of references can be combined <u>only</u> if there is some suggestion or incentive to do so." <u>In re Fine</u>, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting <u>ACS Hosp. Sys. v. Montefiore Hosp.</u>, 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Schwerdtfeger is specifically directed toward solving problems associated with <u>Web page viewers</u> that are <u>incompatible</u> with a particular <u>underlying code</u> associated with Web content. Modifying Schwerdtfeger to use a stylesheet completely changes the purpose of Schwerdtfeger invention and fails to add any benefits to Schwerdtfeger's transcoding process. Therefore, modifying Schwerdtfeger with the disclosure of Chen is **improper** and **nonsensical**.

Moreover, the Examiner alleges that it would have been obvious to modify Schwerdtfeger with the disclosure of Chen to have used the stylesheet generation of Chen to have implemented the transcoding taught by Schwerdtfeger so that the transcoding of the source to destination page could have been automatically adapted to the content contained in the source page

(See Office Action dated January 28, 2005, page 3). The Applicant respectfully disagrees.

As discussed above, transcoding and a stylesheet are **completely distinct concepts**. Chen fails to disclose or **suggest** applying any of the concepts from Chen's generation of a stylesheet to Schwerdtfeger's transcoding process.

Thus, even if it were obvious to modify Schwerdtfeger with the disclosure of Chen (which as described above it not), the theoretical result would still fail to disclose or **suggest** a system and method generating a site template to format a layout of a stylesheet based on capabilities of a mobile device, as recited 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81.

Accordingly, for at least all the above reasons, claims 1, 4-6, 24, 27-29, 44, 46, 54, 57-59, 76 and 79-81 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 2, 3, 7-23, 26, 30-43, 45, 47-53, 55, 56, 60-75, 77, 78 and 82-98 over Schwerdtfeger in view of Chen and Fong

In the Office Action, claims 2, 3, 7-19, 26, 30-41, 45, 47-50, 55, 56, 60-71, 77, 78 and 82-94 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Schwerdtfeger in view of Chen, and further in view of U.S. Patent No. 6,279,015 to Fong et al. ("Fong"), with claims 20-23, 42, 43, 51-53, 72-75 and 95-98 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Schwerdtfeger in view of Fong. The Applicant respectfully traverses the rejection.

Claims 2, 3, 26, 45, 55, 56, 77 and 78 are dependent on claims 1, 24, 44, 54 and 76, and are allowable for at least the same reasons as claims 1, 24, 44, 54 and 76.

Claims 2, 3, 26, 45, 55, 56, 77 and 78 recite a system and method generating a site template to format a layout of a stylesheet based on capabilities of a mobile device.

As discussed above, Schwerdtfeger modified by the disclosure of Chen fails to disclose or suggest a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited by claims 2, 3, 26, 45, 55, 56, 77 and 78.

The Office Action relies on Fong to allegedly make up for the deficiencies in Schwerdtfeger and Chen to arrive at the claimed features. The Applicant respectfully disagrees.

Fong is relied on to disclose displaying a plurality of content items on a graphical user interface, receiving a selection for an item of content, displaying any graphical components of the one item of content selected and generating a site mining expression for locating the one item of content in the source page, with the mining expression locating content in a document (See Office Action dated January 28, 2005, page 4).

Fong's invention is directed toward converting a document encoded in a markup language to another format that allows a user to interactively define mapping of SGML tags to another format (col. 2, lines 35-42). Fong fails to even <u>mention</u> the use of <u>templates</u>, much less disclose or suggest a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited by claims 2, 3, 26, 45, 55, 56, 77 and 78.

Thus, even if it were obvious to modify Schwerdtfeger with the disclosure of Chen and Fong (which it is not), the theoretical result would still fail to disclose or **suggest** a system and method generating a <u>site template</u> to format a layout of a stylesheet <u>based on capabilities of a mobile device</u>, as recited by claims 2, 3, 26, 45, 55, 56, 77 and 78.

Claims 7-23, 30-43, 47-53, 60-75 and 82-98 respectively recite a **<u>stylesheet used for mining</u>** content from a source page to produce a destination page and a <u>site mining expression</u> for **<u>locating</u>** an item of content in a source page.

Fong fails to even mention data <u>mining</u>, as alleged by the Examiner. Moreover, Schwerdtfeger and Chen fail to disclose any type of data

mining. Thus, Schwerdtfeger modified by Chen and Fong would fail to disclose or suggest data mining, much less disclose or suggest a **stylesheet used for mining** content from a source page to produce a destination page and a site mining expression for locating an item of content in a source page, as respectively recited by claims 7-23, 30-43, 47-53, 60-75 and 82-98.

Moreover, even if Fong disclosed some type of data mining (which as discussed above Fong fails to do), Fong fails to disclose or **suggest** the use of a **stylesheet** for **locating** data. Thus, Fong fails to disclose or **suggest** a **stylesheet used for mining** content from a source page to produce a destination page and a site mining expression for locating an item of content in a source page, as respectively recited by claims 7-23, 30-43, 47-53, 60-75 and 82-98.

The Examiner alleged that data mining in its broadest reasonable interpretation by the Examiner means selection of content (See Office Action dated January 28, 2005, page 15). Moreover, the Examiner alleged that it appears to the Examiner that the claims are using mining in this way (See Office Action dated January 28, 2005, page 15). The Applicant respectfully disagrees.

The Examiner's alleged definition of mining for a selection of content is **NOT** a site mining expression for **locating an item of content in a source page**, as recited by claims 7-23, 30-43, 47-53, 60-75 and 82-98.

The Examiner is ignoring the fact that data mining is a **term of art**, and therefore has an **accepted definition within the art**. The Examiner has failed to provide support for the allegation that in its broadest reasonable interpretation data mining equates to **selection of content**. If the Examiner continues to allege that mining equates to selection of content in its broadest reasonable interpretation, the Examiner is **AGAIN** requested to provide **support** for such an alleged definition.

Moreover, "Teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Chen is the only reference from

Schwerdtfeger, Chen and Fong that discloses a <u>stylesheet</u>. Neither Schwerdtfeger, Chen nor Fong disclose or **suggest** basing **anything** other than <u>style generation</u> on a stylesheet. Thus, use of a **stylesheet for mining** without some type of **suggestion** from the cited prior art for such a use of a stylesheet is **improper**.

Neither Schwerdtfeger, Chen nor Fong disclose or **suggest** a **basis for mining** on a stylesheet, i.e., a **stylesheet used for mining**. Therefore, even if it were obvious to modify Schwerdtfeger with the disclosure of Chen and Fong (which it is not), the theoretical result would still fail to disclose or **suggest** a **basis for mining** on a stylesheet, i.e., a **stylesheet used for mining**, as recited by claims 7-23, 30-43, 47-53, 60-75 and 82-98.

Accordingly, for at least all the above reasons, claims 2, 3, 7-23, 26, 30-43, 45, 47-53, 55, 56, 60-75, 77, 78 and 82-98 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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